

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VICOF II TRUST; VIDA LONGEVITY FUND, LP;  
WELLS FARGO BANK NATIONAL ASSOCIATION, as  
securities intermediary for VICOF II TRUST and VIDA  
LONGEVITY FUND, LP; and PF PARTICIPATION  
FUNDING TRUST,

Plaintiffs,

v.

JOHN HANCOCK LIFE INSURANCE COMPANY OF  
NEW YORK,

Defendant.

Index Nos.  
19-cv-11093 (AKH)

EFG BANK, AG, CAYMAN BRANCH; and WELLS  
FARGO BANK, NATIONAL ASSOCIATION, as securities  
intermediary for EFG BANK AG, CAYMAN BRANCH,

Plaintiffs,

v.

JOHN HANCOCK LIFE INSURANCE COMPANY  
(U.S.A),

Defendant.

VICOF II TRUST; VIDA LONGEVITY FUND, LP; LIFE  
ASSETS TRUST II S.A. DELAWARE TRUST;  
VIDAQUANT SUBFUND DELAWARE TRUST; VIDA  
INSURANCE FUND II SERIES INTERESTS OF THE  
SALI MULTI-SERIES FUND, LP; WELLS FARGO  
BANK, NATIONAL ASSOCIATION, as securities  
intermediary for VICOF II TRUST, VIDA LONGEVITY  
FUND, LP, LIFE ASSETS TRUST II S.A. DELAWARE  
TRUST, VIDAQUANT SUBFUND DELAWARE TRUST,  
and VIDA INSURANCE FUND II SERIES INTERESTS  
OF THE SALI MULTI-SERIES FUND, LP; DLP MASTER  
TRUST; DLP MASTER TRUST II; GWG DLP MASTER  
TRUST; LIFE FUNDING TRUST; PF PARTICIPATION  
FUNDING TRUST; and PALM BEACH SETTLEMENT  
COMPANY

Plaintiffs,

v.

JOHN HANCOCK LIFE INSURANCE COMPANY  
(U.S.A),

Defendants.

**ORDER**

The Court has reviewed your letter of January 20, 2023. All the subjects you outline may be discussed. I give you these thoughts:

1. There need be no extended discussions of stipulations. Generally, if a stipulation cannot be readily agreed to, or if a witness will be explaining the facts subsumed in a stipulation, it is not worth pursuing.
2. Each side should propose voir dire and jury instructions, but only on matters unique to this case. I do not believe in agreed instructions.
3. Potential conflicts of law issues should be briefed, and I should be informed of the implications for admissible facts and jury instructions.
4. If there is a good faith question about the admissibility of an exhibit, it should not be used in openings.
5. Opening statements should not be lengthy. Their intention should not be to persuade, but to provide context for the evidence expected to be presented.

SO ORDERED.

Dated: January 23, 2023

/s/ Alvin K. Hellerstein

ALVIN K. HELLERSTEIN

United States District Judge